

EXHIBIT I

Conditions of Approval Carried Forward from Conditional Use Permits D900016D and DRC2005-00004

Note: Conditions are from D900016D, unless otherwise noted as DRC2005-00004. D900016D incorporates conditions from all previous CUPs.

Approved Use

1. ~~This permit amends the hours of operation and replaces the following land use permits: Development Plan D810623:01 issued for the expansion of the quarry operation, Conditional Use Permit U720117:1, for the operation of the asphalt batch plant and D900038D for the concrete and asphalt recycling. Reclamation of the site will occur as provided in the Reclamation Plan M810106:01.~~

Hours of Operation

2. The site and its operation shall be consistent with the previously approved site plans for the three previously approved land use permits (D810623:01, U720117:1, and D900038D).
3. Hours of operation are limited to 7:00 a.m. to 8 p.m. except when material cannot be delivered as required under a public agency contract and with the following limitations:
 - a. The asphalt batch plant and associated trucking may operate for a maximum period of 16 hours of each 24 hours beginning and ending at 6:00 a.m. This may occur an unspecified 80 days each calendar year.
 - b. The asphalt batch plant, rock and recycled asphalt/concrete sales may, in addition to the hours stated above, start operations beginning at 5:00 a.m. for an unspecified 70 days per year.
 - c. A 5 a.m. start time for the secondary crusher only, between June 15th and September 15th for the life of the development. Only the secondary crusher and other related on-site activities that are essential to its successful operation of crushing and stockpiling on-site (e.g., skiploader loading material into crusher, etc.) shall be allowed to operate as early as 5 am between June 15 and September 15 ~~in any given year for the previously approved life of the quarry.~~ Earlier operation of the secondary crusher would only be allowed when the operator is exercising one of their other previously approved conditions that may allow such activity prior to 5 am. (DRC2005-00004)
 - d. No haul trucks above what has been previously approved shall be allowed between 5 a.m. and 7 a.m. between June 15 and September 15. (DRC2005-00004)
4. ~~The hours of operation may be amended if after an annual review, the Department of Planning and Building determines there are sufficient concerns with the operation of the quarry and /or its associated trucking. A hearing before the County Planning Commission shall be scheduled to reconsider the hours of operation between 8:00 p.m. to 7:00 a.m. The operator agrees to reimburse the county for any expenses incurred by the county for this reconsideration of the project.~~

Visual

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- ~~5.~~ All lighting at the plant shall be shielded and directed onto the site to minimize light impacts on adjacent residences. ~~The applicant shall prepare a lighting plan for review and approval by the Department of Planning and Building. The plan shall indicate existing and proposed lighting and its purpose (e.g., security, vehicle safety, etc.). Lights approved for nighttime operation shall only be used during the hours approved for operation.~~

6.4. Noise

- ~~7.5.~~ ~~The applicant shall apply to Cal OSHA within 45 days of this approval to obtain a variance allowing all~~ All permanent on-site vehicles ~~to shall~~ operate with safety lights from dusk to dawn rather than sound safety devices. ~~If the variance is granted, it shall be implemented within 45 days of its approval.~~
- ~~8.6.~~ When the warning sound devices are in use they will be adjusted to the minimum level allowed by law.
- ~~9.7.~~ At all times, equipment shall be constructed, maintained and operated in such a manner as to keep noise to the minimum feasible.

Traffic

- ~~10.8.~~ Prior to loading trucks the operator shall determine if each driver leaving the site is proceeding to the San Joaquin Valley. If the driver is going to the valley then they shall be advised to take Highway 101 to Highway 46 rather than Highway 58.
- ~~11.9.~~ The plant gate shall be opened to trucks so that they may wait on the company road inside the gate but are not to be loaded outside of the approved hours of operation. Trucks shall not be permitted to park and wait outside the gate, nor permitted to park on the shoulder or in the bike lane. If upon learning that trucks are parked on the shoulder, the quarry operator shall contact the truck drivers and request that they turn off their engines until the blockage is cleared. If parked in the bike lane the quarry operator shall request that the trucks be moved off the lane.
- ~~12.10.~~ **Notice to Drivers:** Truck drivers hauling between 8:00 p.m. and 7 a.m. shall be given a Notice to Drivers that has been reviewed by the Department of Planning and Building. The notice shall be signed by each truck driver. Any driver refusing to sign the notice or who has been found a second time violating the provisions in the notice shall not have his truck loaded and the driver shall be removed from the job. The notice shall contain requirements of the truck drivers to promote safe courteous operation of the trucks. The Notice to Drivers shall include, at a minimum, statements on the following:
- Promote traffic safety and minimum noise.
 - Comply with speed limits.
 - Prohibit Jake brake usage, except for emergencies.
 - Remove trucks with noisy exhaust systems.
 - Refuse to load and suspend from the job drivers who do not comply.
 - Location of required placards as required in Condition 12 below.
 - Advise the drivers that a traffic monitor shall report violations.
- ~~13.11.~~ **For ease of identification and reporting by the monitor or community members,** all trucks operating on night time jobs (including contracted trucks not owned by the quarry operator) will carry identifying placards indicating that the trucks originate from the operator's site. The placards shall display the operator's name and clearly display the telephone number to report complaints. The location of the placard on the trucks and the design of the placard shall be reviewed and approved by the Department of Planning and Building. Refusal by a truck driver to place and maintain the placards on the truck shall result in the truck not being loaded and the driver removed from the job.

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- | ~~14-~~**12.** **During nighttime operations (between 8:00 p.m. and 7 a.m.),** the operator shall hire a monitor (to be approved by the County) to observe vehicle speed and vehicle noise. Each truck will have an identification placard. The monitor will immediately contact plant staff to report violations in the Notice to Drivers contained in Condition 11 above and shall maintain a written record of each incident. Plant staff will contact the hauler to require that they follow the requirements in the Notice to Drivers. If a driver is found to violate the requirements a second time, the driver shall not be loaded and will be removed from the job.
- | ~~15-~~**13.** Traffic monitoring shall occur every night for the first ten days of a new job and if there are no violations, monitoring shall continue on a random basis, no less than 50% of the time. If one or more violations are reported during the first 10 days of a new job, monitoring shall continue full time every night until 10 successive days of night work pass without a violation.
- | ~~16-~~**14.** The operator shall maintain logs with three years of records that will be made available to county staff for inspection at any time:
 - a. A complaint log tracking the number of days per year that nighttime operations occur.
 - b. A log of plant operations and associated trucking indicating the times of operation and number of truck trips.
 - c. A log of quantities of rock, asphalt and recycled material sold from the site for each month.

The format of the logs shall be approved by the Department of Planning and Building and an annual copy shall be sent to the department.

- | ~~17-~~**15.** The operator shall submit a report documenting violations of the requirement contained in the Notice to Drivers and remedial actions taken to the Department of Planning and Building on a quarterly basis in a format approved by the department.
- | ~~18-~~**16.** **During times when large sales of asphalt and rock/recycle are anticipated,** the operator shall contact the railroad to determine if blocking of the access road is likely. If it is determined that this condition is imminent, the operator shall make arrangements to provide traffic safety control measures on El Camino Real. This may involve use of the operator's personnel. Safety control measures may include placement of advance safety signs to alert drivers, and use of flaggers to maintain smooth traffic flow.
- | ~~19-~~**17.** Santa Margarita residents and the Department of Planning and Building shall be notified of planned nighttime jobs, including the estimated days/hours of operation through notices in newspapers of local circulation, a community bulletin board and in writing to citizen advisory groups and the department. Area residents shall receive informational material about daytime and nighttime work, the plant phone number to report problems and identify the County-approved monitor. Also, an annual assessment of the extended hours and trucking operating conditions will be conducted by the Department of Planning and Building to assess project impacts on noise and traffic safety.
- | ~~20-~~**18.** Total truck traffic entering the property to use the recycle plant, asphalt batch plant, rock quarry and other facilities shown on the site plan shall be limited to a maximum of 294 trucks per day (294 round truck trips per day).

Asphalt Plant

- | ~~21-~~**19.** All rules and regulations of the Air Pollution Control District shall be met as exist or later recommended. A baghouse facility shall be used for the asphalt plant unless better technology is approved by the APCD.

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- | ~~22.~~20. The asphalt plant and appurtenant features shall be maintained above the 1969 flood level.
- | ~~23.~~21. The entrance from El Camino Real and the asphalt access road and to the asphalt plant and quarry shall be maintained in a dust-free condition and the cattle guards and railroad crossings be maintained to minimize noise to adjacent areas.
- | ~~24.~~22. The landscaping installed in accordance with the Santa Margarita Quarry Replacement Planting and Screening Project, April 16, 1997, prepared by 2M Associates, along Highway 58 shall be maintained on a regular basis.
- | ~~25.~~23. No stockpile areas shall be located to be visible from El Camino Real.
- | ~~26.~~24. The Asphalt Batch Plant is limited to a maximum size of 8,000 pounds.

Quarry Area

- | ~~27.~~25. This approval ([D900016D](#)) authorizes the continued surface mining, primary crushing, and stockpiling of hard granite rock, weathered granite and overburden on a 44 acre parcel, (1999) Assessor's Parcel No. 070-141-054, located directly adjacent on the north and northwest to the existing 41 acre quarry operated by the applicant. Mining operations are to be in accordance with all permits issued by the California Department of Fish and Game, Regional Water Quality Control Board, and the County Air Pollution Control District.
- | ~~28.~~26. Hours of operation for quarrying and moving of material on or from this 44 acre site shall be limited to the hours between 7:00 a.m. and 8:00 p.m.
- | ~~29.~~27. Provide sufficient usable area to park all employee and other project related vehicles entirely on-site within the [193](#)~~147~~ acre area overall mining site operated by the applicant.
- | ~~30.~~28. The annual total yield of materials mined from the entire quarry site shall not exceed 700,000 tons.
- | ~~31.~~ ~~The applicant shall comply with all provisions of the approved Reclamation Plan M810106:01 for the expanded and existing operations on the 147 acre overall site with the following additional requirements:~~
 - ~~a. Maintain the five foot high, five strand wire fence above the safety bench along the top of the quarry face.~~
 - ~~b. A minimum 15 foot high graded embankment shall be placed against the toe of the lowest bench face to impede access to a point directly under the highwall; the embankment shall be sloped at the highest angle that will assure natural stability and revegetated or otherwise treated to prevent erosion.~~
 - ~~c. If final reclamation results in a water impoundment on the quarry floor, the following are required:~~
 - ~~i. A safety bench shall be provided to provide for safe exist from the impoundment.~~
 - ~~ii. Security fencing shall be installed to restrict access to the impoundment.~~
 - ~~iii. Final design, depth, and drainage measures for the impoundment shall be subject to review and approval by the County Engineering and Health Departments.~~
 - ~~d. Any changes to the design, depth, and drainage measurements for the impoundment shall be subject to review and approval by the County Engineering and Health Departments.~~
- | ~~32.~~29. Maintain the landscape screening for blocking view of the quarry from Highway 58. The landscaping was installed in accordance with the Santa Margarita Quarry Replacement planting and Screening Project prepared by 2M Associates, April 16, 1997.
- | ~~33.~~ ~~Implement the quarry face revegetation program prepared by Wes Conner and dated March 18, 1981, on an on-going basis as final benches and faces are established with~~

~~the provision that the blasting of bench edges and corners as listed in item 2A on page 3 of the program is not authorized by this approval and shall not be done. All plant materials shall be maintained in a viable condition on a continuing basis.~~

34.30. The quarry operator shall submit a detailed cost estimate for reclamation of the quarry as required by the Surface Mining and Reclamation Act (SMARA) on an annual basis. Costs shall include an estimate for establishing the final slopes as provided in the reclamation plan.

35.31. The site shall be inspected annually for evaluation of continuing compliance with the Development Plan and Reclamation Plan approval in accordance with Section 22.08.186 of the County Land Use Ordinance. The operator shall contact the Planning Department to arrange the inspections no less than 30 days before September 10 every year and submit the established inspection fee.

Asphalt and Concrete Recycling

General

36.32. The asphalt/concrete recycling plant shall consist of a portable crush and screen unit. Only concrete, asphalt, porcelain (bathroom fixtures),

37.33. The project shall comply with the approved site plan for Development Plan, D900038D.

38.34. There shall be no expansion outside of the 2 acre site, no added crushing machines or stockpile areas, no new land uses or activities, no office or retail sales or fuel storage, no equipment or vehicle storage except those actively involved with the recycle operation.

Air Quality

39.35. The applicant shall maintain the access road with 4 inches of base material and appropriate topcoat sealer

Fire Safety

40.36. The operator agrees to abide by the California Department of Forestry and the Fire Safety Standards (LUE Section 22.05.086) and the mitigation measures as listed in the CDF/SLO County Fire Department Letter dated 1/28/91, regarding portable fire extinguishers, spark arresters, access, vegetation clearance, and final inspection.

Riparian Vegetation

41.37. To minimize riparian vegetation impacts associated with the recycling operation the applicant agrees there shall be no cutting, alteration, or disturbance of the existing riparian vegetation located adjacent to the site or the recycling facility. All activities that may result in disturbance of riparian vegetation are prohibited.